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SENATE BILL 485

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

INTRODUCED BY

James G. Taylor

AN ACT

RELATING TO PROFESSIONAL AND OCCUPATIONAL LICENSURE; REVISING  
EMPLOYMENT REQUIREMENTS FOR LICENSURE OF ANESTHESIOLOGIST  
ASSISTANTS PURSUANT TO THE ANESTHESIOLOGIST ASSISTANTS ACT;  
INCREASING THE NUMBER OF ANESTHESIOLOGIST ASSISTANTS THAT AN  
ANESTHESIOLOGIST MAY SUPERVISE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-6-10.2 NMSA 1978 (being Laws 2001,  
Chapter 311, Section 2, as amended by Laws 2003, Chapter 19,  
Section 11 and by Laws 2003, Chapter 302, Section 1) is amended  
to read:

"61-6-10.2. DEFINITIONS.--As used in the  
Anesthesiologist Assistants Act:

A. "anesthesiologist" means a physician licensed to  
practice medicine in New Mexico who has successfully completed

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1 an accredited anesthesiology graduate medical education  
2 program, who is board certified by the American board of  
3 anesthesiology or board eligible and who has completed a  
4 residency in anesthesiology within the last three years or who  
5 has foreign certification determined by the board to be the  
6 substantial equivalent [~~and who is an employee of the~~  
7 ~~department of anesthesiology of a medical school in New~~  
8 ~~Mexico~~];

9 B. "anesthesiologist assistant" means a skilled  
10 person [~~employed or to be employed by a university in New~~  
11 ~~Mexico with a medical school~~] certified by the board as being  
12 qualified by academic and practical training to [~~assist an~~  
13 ~~anesthesiologist in developing and implementing~~] develop and  
14 implement anesthesia care plans for patients under the  
15 supervision and direction of the anesthesiologist who is  
16 responsible for the performance of that anesthesiologist  
17 assistant;

18 C. "applicant" means a person who is applying to  
19 the board for a license as an anesthesiologist assistant;

20 D. "board" means the New Mexico medical board [~~of~~  
21 ~~medical examiners~~]; and

22 E. "license" means an authorization to practice as  
23 an anesthesiologist assistant."

24 Section 2. Section 61-6-10.9 NMSA 1978 (being Laws 2001,  
25 Chapter 311, Section 9, as amended) is amended to read:

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1 "61-6-10.9. RULES.--

2 A. The board may adopt and enforce reasonable  
3 rules:

4 (1) for setting qualifications of education,  
5 skill and experience for licensure of a person as an  
6 anesthesiologist assistant;

7 (2) for providing procedures and forms for  
8 licensure and annual registration;

9 (3) for examining and evaluating applicants  
10 for licensure as an anesthesiologist assistant regarding the  
11 required skill, knowledge and experience in developing and  
12 implementing anesthesia care plans under supervision;

13 (4) for allowing a supervising  
14 anesthesiologist to temporarily delegate [~~his~~] supervisory  
15 responsibilities for an anesthesiologist assistant to another  
16 anesthesiologist;

17 (5) for allowing an anesthesiologist assistant  
18 to temporarily serve under the supervision of an  
19 anesthesiologist other than the supervising anesthesiologist  
20 with whom the anesthesiologist assistant is registered; and

21 (6) to carry out the provisions of the  
22 Anesthesiologist Assistants Act.

23 B. The board shall not adopt a rule allowing an  
24 anesthesiologist assistant to perform procedures outside the  
25 anesthesiologist assistant's scope of practice.

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C. The board shall adopt rules:

(1) establishing requirements for anesthesiologist assistant licensing, including:

(a) completion of a graduate level training program accredited by the commission on accreditation of allied health education programs or its successor organization;

(b) successful completion of a certifying examination for anesthesiologist assistants administered by the national commission for ~~the~~ certification of anesthesiologist assistants or its successor organization; and

(c) current certification by the American heart association in advanced cardiac life-support techniques;

(2) establishing minimum requirements for continuing education of not less than forty hours every two years;

(3) requiring adequate identification of the anesthesiologist assistant to patients and others;

(4) requiring the presence, except in cases of emergency, and the documentation of the presence, of the supervising anesthesiologist in the operating room during induction of a general or regional anesthetic and during emergence from a general anesthetic, the presence, of the

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1 supervising anesthesiologist within the operating suite and  
2 immediate availability to the operating room at other times  
3 when the anesthetic procedure is being performed and requiring  
4 that the anesthesiologist assistant comply with the above  
5 restrictions;

6 (5) requiring the supervising anesthesiologist  
7 to ensure that all activities, functions, services and  
8 treatment measures are properly documented in written form by  
9 the anesthesiologist assistant. The anesthesia record shall be  
10 reviewed, countersigned and dated by the supervising  
11 anesthesiologist;

12 (6) requiring the anesthesiologist assistant  
13 to inform the supervising anesthesiologist of serious adverse  
14 events;

15 (7) establishing the number of  
16 anesthesiologist assistants a supervising anesthesiologist may  
17 supervise at one time, which number, except in emergency cases,  
18 shall not exceed ~~[three]~~ the maximum number of supervised  
19 providers permitted by the centers for medicare and medicaid  
20 services or its successor organization. An anesthesiologist  
21 shall not supervise, except in emergency cases, more than four  
22 anesthesia providers if at least one anesthesia provider is an  
23 anesthesiologist assistant; and

24 (8) within twelve months of the date on  
25 which the Anesthesiologist Assistants Act becomes effective,

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1 providing for enhanced supervision at the commencement of an  
2 anesthesiologist assistant's practice."

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